



**Notice of the Public Meeting of the Parish Council**

Members of the Public and the Press are invited to attend all Council meetings

(Public Bodies (Admission to Meetings) Act 1960)

Date: Wednesday 27<sup>th</sup> January 2021

Time: 7.30pm

Location: Virtual Meeting by remote access Microsoft Teams

**To : Chairman & Parish Councillors**

Chairman D Edwards

Councillors. M Ellis, M Fletcher, J Oakes, J Robinson, S White, & D Willey (Vice Chairman).

You are hereby summoned to attend the above meeting to consider the items of business.  
(LGA 1972 sch.12 para.10(2))

Councillors will be discussing all the items as listed overleaf on the Agenda.

***Christopher Cook (CILCA)***

Christopher Cook  
Clerk to the Council  
4<sup>th</sup> January 2021

Under the Openness of Local Government Bodies Regulations 2014, any members of the public are allowed to take photographs, film and audio record proceedings and report on all public meetings (including on social media). No prior notification is needed but it would be helpful to let the Clerk know of any plans to film or record so that any necessary arrangements can be made to provide reasonable facilities to report on meetings. This permission does not extend to private meetings or parts of meetings which are not open to the public.

Should you wish to record the meeting, you are asked to act in a reasonable manner and not to disrupt the conduct of meetings by, for example, using intrusive lighting, flash photography, or in asking people to repeat statements for the benefit of the recording. Oral commentary may not be made during the meeting. The Chairman has the power to control public recording, and recording must be clearly visible to anyone at the meeting.

Please be aware that whilst every effort is taken to ensure that members of the public will not be filmed, we cannot guarantee this, especially if you are speaking or taking an active role. Members of the public will be permitted to speak for a period of 3 minutes. Please note that members of the public exercising their right to speak during Public Questions Time may be recorded.

The Parish Council recommend that any questions for Members should be submitted in writing to the Parish Clerk 24 hours before the Meeting and that responses may be put in writing at a later date.

**Parish Clerk & Responsible Financial Officer**  
**24 Rashleigh Avenue - Saltash - Cornwall - PL12 4NS**  
**Tel. 07523 005414**  
**clerk@botusfleming.org.uk**

**7.30pm – Item 661 below** (Public Bodies (Admission to Meetings) Act 1960 s.1 extended by LG Act 1972 s.100)

**Questions and comments from members of the public (limited to 15 minutes in total)**

This provides an opportunity for members of the public (who are not usually permitted to speak during the meeting except by special invitation of the Chairman) to participate before the start of the meeting by asking questions, raising concerns or making comments on matters affecting Botus Fleming and Hatt. No decision can be taken during this session\*, but the Chairman may decide to refer matters raised for further consideration. Items of a sensitive nature are not discussed in public and the Council passes a resolution under the above Act

\* Councils cannot lawfully decide items of business that are not specified in the Summons/Agenda (LGA1972 Sch.12, paras 10(2)(b) and Longfield Parish Council v Wright (1918) 88Ch.119

## Agenda | 27 January 2021

### **660/2021 Chair's Welcome & Announcements**

Health and Safety housekeeping announcement,  
Recording of Meetings – Please notify the Chair if you are intending to record this meeting.

### **661 Public participation**

### **662 To receive Apologies for Absence and approve the reasons given.** (LGA 1972 s.85 (1))

### **663 Declarations of interest**

Parish Councillors will be asked to make any declarations of interest in respect of items on this Agenda. Items A to C accord with the requirements of the Parish Council's Code of Conduct and Item D accords with the Localism Act 2011 s33(b-e). This does not preclude any later declarations.

A. Pecuniary/Registerable Declarations of Interests – Members must declare an interest, which has been declared on their Register of Financial Interests Form, relevant to this Agenda.

B. Non-registerable Interests – Members must declare non-pecuniary interests at the start of the meeting or whenever the interests become apparent.

C. Declaration of Gifts – Members must declare any gift or hospitality with a value in excess of £50.

D. Dispensations – Members to consider any written requests for dispensations.

### **664 To approve and sign as a correct record the draft Minutes of the Public Meeting of the Parish Council held on Wednesday 9<sup>th</sup> December 2020 (virtual remote meeting).** (LGA 1972 sch.12.para 41(1))

### **665 Matters arising from the Minutes for report purposes only.**

### **666 A Report from Cornwall Councillor Jesse Foot**

### **667 Finance**

### **A Accounts for Payment.**

Members are asked to note the following items of expenditure for the month of **January 2021**.

Date	Payee	Description	BACs ref.	£
27/01/2021	Christopher Cook	Salary	BACS105	239.78
27/01/2021	HMRC	PAYE	BACS106	60.00
27/01/2021	Christopher Cook	Administration expenses	BACS107	14.24
27/01/2021	WesternWeb Limited	Website domain name renewal	BACS108	210.00
27/01/2021	Tindle Newspapers (C/Times)	Grass cutting Tender advertisement	BACS109	246.00
27/01/2021	Professional Business Supplies	BOTHER Flyers	BACS110	37.00
All BACs payment amounts today				£ 807.02

## B Direct bank Payments & Receipts for information

All bank receipts for this period **£8,614.25**. Total receipts 2020/2021 are **£26,973.22**

Date 27th January 2021

Botus Fleming PC Current Year 2020/2021

Period 10

Bank Receipts statement as at 9/12/2020

for Cashbook - Current A/c 1 & Business Reserve A/c 2

Bank Statement Account Name(s)	Statement Date	Amount	Balances
Current Account - Lloyds A/c 1	09/12/2020		18,218.87
Business Reserve Account - Lloyds A/c 2	09/12/2020		8,754.35
Lloyds A/c 2 = Earmarked Funds *			
Total Receipts			26,973.22

Available General Funds from 31st March				12,548.55
Add - Receipts during April				9,746.08
Less - Payments made A/c1 - April				1,198.52
Less - Payments made A/c1 - May				1,884.38
Less - Payments made A/c1 - June				809.92
Less - Payments made A/c1 - July				1,681.99
Less - Payments made A/c1 - August				951.71
Less - Payments made A/c1 - Sept				1,060.44
Add - Receipts during September				8,472.79
Less - Payments made A/c1 - Oct				664.97
Less - Payments made A/c1 - Nov				744.21
Less - Payments made A/c1 - Dec				465.24
General Funds as per Bank Statement				21,306.04

Movement on A/c1 April to December	Receipts	Payments	Movement +/-
Receipts against Payments	18,218.87	9,461.38	8,757.49

1st Precept payment due 7/4/20 £8,080.38

2nd Precept payment due 7/9/20 £8,080.37

07/04/2020 Receipt A/c1	Cornwall Council	Precept April 2020	8,000.00
07/04/2020 Receipt A/c1	Cornwall Council	CTS Grant April 2020	80.38
07/04/2020 Receipt A/c1	HMRC	Vat recovery claim	1,665.70
01/09/2020 Receipt A/c1	Cornwall Council	Contract funding	392.42
14/09/2020 Receipt A/c1	Cornwall Council	Precept April 2020	8,000.00
14/09/2020 Receipt A/c1	Cornwall Council	CTS Grant April 2020	80.37

					18,218.87
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9/12/2020 Earmarked Funds receipts *					
Big Event / Christmas Fayre	Account 2		Receipts		0.00
Big Event / Assets	Account 2		Receipts		0.00
Sports & Recreation	Account 2		Receipts		140.10
BOTHER Climate emergency	Account 2		Receipts		8,614.25
Neighbourhood Development Plan (NDP)	Account 2		Receipts		0.00
					8,754.35

RFO 27th January 2021

## C Bank reconciliation and Earmarked Funds (EMF) balances at 27<sup>th</sup> January 2021

Date 27th January 2021

Botus Fleming PC Current Year 2020/2021

Period 10

Bank Reconciliation statement as at  
9/12/2020  
for Cashbook - Current A/c 1 & Business Reserve A/c 2

Bank Statement Account Name(s)	Statement Date	Amount	Balances
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Current Account - Lloyds A/c 1	09/12/2020	21,306.04
Business Reserve Account - Lloyds A/c 2	09/12/2020	16,840.07
A/c 2 = Earmarked Funds *		
Total balance		38,146.11

Unpresented Cheques (Minus)	0.00	0.00
		38,146.11
Receipts not banked / Cleared (Plus)	0.00	0.00
		38,146.11
	Balance per Cash Book is :-	38,146.11
	Difference is :-	0.00
General Funds as per Bank Statement	Available General Funds	21,306.04

9/12/2020 Earmarked Funds *		
Big Event / Christmas Fayre		3,285.52
Big Event / Assets		1,400.00
Sports & Recreation		1,921.64
BOTHER emergency response		8,814.25
Neighbourhood Development Plan (NDP)		1,418.66
		16,840.07

RFO 21st January 2021

## D Monthly budget monitoring balances at 27<sup>th</sup> January 2021

Summary Expenditure Account      Year ended  
31st March 2021      Monthly Budget monitoring

**BOTUS      FLEMING      PARISH      COUNCIL**

**YEAR END 2020-2021**

**Period 10 - January**

Lloyds Current Account A/c 1 - 38772468	Budget 2019 2020 *	Expenditure 2019 2020	Budget 2020 2021 *	Expenditure as at 27/1/21	Budget available
Expenditure :					
Clerk's Salary & Locum expenses	4,000	3,000	4,000	2,799	1,201
HMRC	0	742	700	698	2
				3,497	
<b>General &amp; Administration :</b>					
Postage & Admin.	400	446	400	244	156
Legal & Website	650	981	500	375	125
Legal - Recreation Field Lease	0	0	1,500	30	1,470
Elections & Adverts	0	0	0	0	0
Training & Expenses & Subscriptions	1,200	1,043	800	779	21
				1,428	
<b>Contracts :</b>					
Grasscutting	4,250	2,950	4,250	2,463	1,787
Insurance	1,000	837	1,000	709	291
Rent	2,150	2,170	2,500	0	2,500
Maintenance & equipment	200	253	500	516	-16
				3,688	
<b>Other Payments :</b>					
Grants & Donations	650	325	650	600	50
Projects & Newsletter	300	910	1,000	267	733
Big Event *	1,400	1,657	1,400	0	1,400
Neighbourhood Dev. Plan *	250	0	250	0	250
Budget other *	3,100	2,106	2,850	0	2,850
Vat recoverable amount	0	1,665	0	0	0
				867	
* includes Projects, Bother & (CAT)					
Total Budget £4,500					
Total Payments	19,550	19,085	22,300	9,480	12,820
Vat amount to date 2020 2021				788	

RFO 27th January 2021

## E Public Works Loan Board - Loan Statement 27<sup>th</sup> January 2021

Date 27<sup>th</sup> January 2021

Botus Fleming PC Current Year 2020/2021

Period 10

Loan Payments statement  
for Cashbook - Current A/c 1

Bank Statement Account Name(s)	Statement Date	Loan advance	Payments Principal & Interest	Balance to pay
Current Account - Lloyds A/c 1 PWLB Loan advance 24/06/2020*	25/11/2020	69,975.00		
Direct Debit payment – 24/12/20			2,732.22	67,242.78

Total Loan amount outstanding					67,242.78
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\* PWLB less loan admin fee £25

## 668 Planning

### New Planning Applications – None received

Application link <http://planning.cornwall.gov.uk/online-applications>

### Planning Application Decisions – Three received

Application : **PA20 / 08718**

Proposal : Replacement of Sewage treatment plant

Location : Barn 1 The Worksop Hatt Saltash

Applicant : Mr Washburn

Grid Ref : 240405 / 62525

Planning Application **Approved** (with conditions) 11<sup>th</sup> December 2020

Application : **PA20 / 09647**

Proposal : Proposed single storey rear extension and internal alterations

Location : 4 Andrews Way Hatt PL12 6PE

Applicant : Mr Adam Coutts

Grid Ref : 239739 / 62045

Planning Application **Approved** (with conditions) 18<sup>th</sup> December 2020

Application : **PA20 / 09392**

Proposal : Proposed construction of two storey extensions to the east and west of the dwelling together with associated internal and external alterations

Location : Oaklands Hatt PL12 6PP

Applicant : Mr Simon Richards

Grid Ref : 239997 / 62773

Planning Application **Approved** (with conditions) 22<sup>nd</sup> December 2020

Application : **PA19 / 05565**

Proposal : Proposed residential development comprising 4 affordable rent 2 bed bungalows and 4 open market dwellings (two 2-bed and two 3-bed)

Location : Heckberry Barn Vollards Lane Hatt Saltash Cornwall PL12 6pt

Applicant : Mr & Mrs R Andrews

Planning Application **Refused** 9<sup>th</sup> December 2020

### Planning Application – For Information

**5 Day Protocol decision requested by Planning & Development 15<sup>th</sup> December 2020. Conclusion – that the development would preserve the landscape and scenic beauty of the AONB (Revised Plans submitted)**

**Botus Fleming Parish Council responded to the 5 Day Protocol 18<sup>th</sup> December 2020. Councillors voted as follows:-**

1. [Agree with the Planning recommendation – 7 votes](#)

2. Agree to disagree – 0 votes

3. Having made strong planning reasons to maintain original position against the recommendation, it is required that the Application is determined by the Planning Committee – 0 votes

Application : **PA21 / 00046 (see also PA20 / 09647)**  
Proposal : Non Material Amendment for new window added to North elevation;  
main entrance door relocated on West elevation; flat roof to extension  
amended to pitched roof (Application number PA20/09647 dated 17<sup>th</sup>  
December 2020 relates)  
Location : 4 Andrews Way Hatt Saltas Cornwall PL12 6PE  
Applicant : Mr Adam Coutts  
Grid Ref : 239739 / 62045

**Planning Application received after the Agenda issue – To be advised**

**669 Neighbourhood Development Plan – Cllr Dave Edwards (Chairman)**  
[www.botusflemingandhattndp.com](http://www.botusflemingandhattndp.com)

Report deferred until 24<sup>th</sup> February 2021

**670 Parish Plan - Cllr Dave Edwards (Chairman)**

Report deferred until 24<sup>th</sup> February 2021

**671 Recreation Field - Parish Clerk**

**672 Councillor Reports**

- |   |                               |                                |
|---|-------------------------------|--------------------------------|
| A | Asset Audit                   | - Cllr Sally White             |
| B | Bio diversity                 | - Cllr Malcolm Fletcher        |
| C | Climate change emergency      | - Cllr Malcolm Fletcher        |
| D | Cornwall Network Panel (CNP)- | Cllr Dave Edwards (Chairman)   |
| E | Playing Field utilities       | - Cllr Dave Edwards (Chairman) |







**673 Code of Conduct 2020 review – LGA Model Code**

**674 Matters for information purposes only**

**675 Clerk's items**

Grass Cutting Contract Procurement process underway

All information to be posted to [www.botusfleming.org.uk](http://www.botusfleming.org.uk)

Local Elections 2021 (information as previously circulated)

**676 Public Bodies (Admission to Meetings) Act 1960**

To **resolve** that pursuant to Section 1(2) of the Public Bodies (Admission to Meetings) Act 1960 the public and press leave the meeting because of the confidential nature of the business to be transacted.

**677 Interviews for the co-option of a Parish Councillor**

**678 Public Bodies (Admission to Meetings) Act 1960**

To **resolve** that the public and press be re-admitted to the meeting.

**679 Correspondence**

*Good Morning*

*I wonder if you could please advise me who I would need to contact with regard to replenishment of the Salt bins throughout the village, I am conscious the forecast is for the weather to get much colder ( if they are accurate!) and the bins may require filling (some are part filled at present) if salt is then used. I am usually one of the first to drive through the villages in the mornings so often put the Salt in dangerous areas.*

*I have checked the Cornwall council website and it appears it is still a Parish Council devolved responsibility to maintain the Salt bins.*

*Thank you*

*Amanda Loveridge*

*Good afternoon,*

*Earlier in the month (4th Jan) I saw a post on Hatt Chat and Botus Banter about the application for a 10 year extension by Roodscroft at their site in Hatt. I have had a look at the planning section of Cornwall Council's website for further details.*

*I am emailing to find out when this matter is going to be considered by the Parish Council. The application was made in November, I think that the consultation date when the Parish Council was notified was 1 December 2020. Having looked at the agenda and minutes of the last PC meeting on 9th December I can't see any reference to this application being considered. Will this matter be on the agenda for the meeting next week - 27th January 2021?*

*I have made my own comment on the council website about the disturbance and inconvenience caused by the noise and dust generated by the work that takes place at Roodscroft. It would be great to see a comment from the PC which represents the views of local residents. When so much of the work that you are engaged in with in the parish is focused on improving the natural environment it would be a great shame to miss this opportunity to seek a positive outcome to improve the beautiful rural nature of our local community.*

*Kind Regards  
Mary Johnson*

**Representations in Relation to Applications PA20/09963 & PA20/09967 – Extensions of Time until 2030 of Landfill and Recycling at Roodscroft, Hatt, Saltash, PL12 6PJ**

**Response to Roodscroft Environmental Services' Noise Impact Assessment and Design & Access Statement**

**Summary**

1. *In principle, I have no objection to continuation of the landfill and recycling uses that are of substantial value to the locality and wider area, but only provided that specific, and important, concerns relating to the regulation of noise impact from Roodscroft land are satisfied. I contend that certain measures to mitigate noise impact are essential to avoid significant harm to the quality of life and wellbeing of ourselves and other residents in our locality.*

**Noise Impact**

2. *Two noise impact assessments have been compiled independently by professional acousticians; one by the Applicant and the other commissioned by ourselves. We are grateful to Roods Environmental Services Ltd for agreeing to both consultants monitoring recycling operations together for the respective assessments.*
3. *Both assessments agree that:*
  - a. *If noisy plant and machinery employed in recycling operations of the type monitored and modelled [e.g. wood chipper, screener and hydraulic breaker (if and when used)] are operated within the acoustic shielding provided by the recycling buildings there is unlikely to be a materially harmful noise impact from that source; and*
  - b. *Residential developments in Hatt [e.g. Cross Farmhouse & 27 Sunnybanks] are vulnerable to noise impacts from Roodscroft land, including tonal reversing alarms on mobile plant and motorcycle use.*
4. *The noise impact assessments that measured operation of recycling plant did so with the plant and machinery within the recycling sheds as required by the conditional permissions. This is the operational state as it should be undertaken. However, because of the history of breach of Condition 10 of the main permission explained below, the assessment by M Wood that we have submitted includes modelling and consideration of impacts from recycling in the open area of the site as well as within the sheds. Mr Wood's background noise survey also assessed Cross Farmhouse level as 36dB LA90 over a seven day period whereas Roods' much briefer survey assessed this figure as 38dB. This slightly higher figure is used in Roods' assessment.*
5. *In addition, our noise consultant has recommended that the criterion of 55dB(A)Leq(1 hour) in **Condition 13** of the landfill permission be reduced as he has assessed that it is excessively high. He recommends that cumulative noise rating levels in accordance with BS4142: 2001+A1 do not exceed 36dB LA90 for Cross Farmhouse and 38dB LA90 for 27 Sunnybanks based upon his continuous background noise monitoring before recycling plant noise was recorded.*
6. **Recycling & Landfill Operations.** *Condition 10 of the landfill permission is intended to confine mechanical sorting and processing of waste to the recycling sheds. However, two issues arise over the effectiveness of this condition to regulate the developments. One issue is the Roods' proposal that breaking of large pieces of concrete and stone should be undertaken outside the shed by a pulveriser [a "nibbler"] rather than using a hydraulic breaker inside the sheds. The other issue is the enforceability of this condition.*
7. *The operational requirement is said to be for the breaking process to be continuous during working hours on 2 to 3 days every few months. Both acoustic experts agree that the use of a hydraulic breaker outside the sheds, as has occurred and been complained about by us in the past, would be materially harmful causing "significant adverse impact". The proposed use of a "pulveriser", as modelled, and periodically hired in as required, is said by Roods' acoustician to provide adequate mitigation. But, can this proposal be relied upon to avoid adverse impact on Hatt residents for the next ten years? I contend that the answer is no, for a number of reasons.*

8. Now that Roodscroft's landfilling operations have moved on since 2000, I submit that Condition 10 would be clearer in future, and therefore more readily enforceable, if it stated that mechanical sorting and processing of waste should only be carried out within the recycling sheds. I seem to recall that it is for this reason that the sheds were constructed many years ago. Breaking stone and concrete is a necessary part of the waste processing operation but, if the pulveriser is used outside, it breaches the intended terms of Condition 10 even if its noise impact is not excessive. As this proposal is in breach of condition, I contend that it is also outside the scope of these particular applications and requires a new application.
9. Roods Landfill proposes to hire the pulveriser "when required" to break material outside the sheds. This begs the questions as to whether a pulveriser, with noise characteristics as beneficial as those modelled, would be available whenever required or, whether a breaking or pulverising machine that is noisier than that modelled from BS5228 data would be substituted as a matter of expediency or convenience? This uncertainty provides further reasons why this proposed exception to the terms of Condition 10 does not seem to be a reliable and enforceable option for the next decade. It seems to amount to a means of securing permission for outside working circumventing the terms of the condition. At the very least it introduces uncertainty in effectively regulating noise impact.
10. I am reinforced in the above submission by our troubled experience of the landfill/recycling operations since 2014. In complete contrast, Roods' operations have generally been extraordinarily quiet recently. Our valley has become generally peaceful once again. However, since 2014, time after time our lives have been blighted by continuing disturbing noise from the site as we have tried to enjoy our "twilight years". Unfortunately, the site has not lived up to the standards set out in today's Planning Design & Access Statement although we are now hopeful for the future if the operators can recognise the local impact that their operations have been having. There has been a continuing succession of enforcement investigations as mechanical sorting and processing have been carried on outside the sheds and over various parts of the landfill in blatant breach of Condition 10.
11. Despite photographic and narrative evidence including statutory declarations submitted by us, and routine inspection by planning staff, it took nearly four years for a Breach of Condition Notice to be served [Conditions 10 & 13 – EN18/00699]; and then only after a surprise visit by two officers. However, even this did not stop outside sorting and processing in breach of condition despite our further representations. Little or no weight seems to have been given by the enforcement authority to Condition 10 being imposed because it is necessary and routine inspections seem to have been unable to pick up on physical signs of non-compliance [nature and location of heaps of spoil, aggregates and plant] during routine inspections. My conversations with a few local residents have indicated a lack of planning knowledge and a natural reticence despite unpleasant disturbance which factors seem to have counted for nothing. Our bad experience over these years eventually prompted us to go to the expense of engaging our own noise consultant to provide cogent evidence of the noise problem which he has done. This was before we were aware of the Planning Officer's requirement for the site operators to carry out a noise impact assessment too [for which we are grateful].
12. Because the effectiveness of site regulation has, in our experience, been so very limited since 2014 and, in any event, it is highly desirable to avoid the need for enforcement action in future, I submit that all mechanical sorting and processing, including stone and concrete breaking, should only be carried out within the sheds in compliance with Condition 10 [as amended].
13. The use of tonal reversing sirens on Roods' fleet of mobile plant has been an issue for us as identified in M. Wood's assessment. We are pleased to note the recommendation made by both noise consultants that broadband or "white noise" alarms should replace tonal alarms on Roods' plant and we request that this requirement is embodied in a planning condition.
14. **Motorcycling.** Similarly to the above, we are pleased to note Roods' noise consultant's recommendation that the noise impact from the use of motocross bikes to traverse the landfill site [for business purposes] should be minimised. Our request for motocross bike noise to be



monitored and recorded in the noise survey was not taken up, but our consultant states his opinion on moto cross noise from his own experience and data available to him. In his opinion "the proximity of the site to residential locations, we would expect the likelihood of adverse impact from this type of activity to be significant and is therefore unlikely to be suitable" [M. Wood: Management Summary and Conclusions].

15. Our bad experience of noise from motocross bikes has been outside Roods' working hours. This problem has been endured on Saturday afternoons and Sundays, public holidays and fine Spring, Summer and Autumn evenings; all times when we have been trying to enjoy our garden and conservatory. The noise fills the valley, echoes off the Sunnybanks houses, and can be heard indoors through windows if even slightly open. There have commonly been two or three bikes racing around the landfill site and adjoining open land, accelerating hard, including when climbing the steep spoil heaps. The sound is a bit like chain saws operating nearby for between one and three hours. Permitted development rights, when thought to exist, have been grossly exceeded in the past. Great fun for the riders but a horrible experience for us and our many neighbours in contradiction of Local Plan Policy 16 which seeks to promote health and well-being for communities.
16. Roods' own Noise Impact Assessment gives some help in appreciating the sensitivity and vulnerability of Hatt properties to noise from Roods' land in Roods' consultant's own comments after Table 4 [section 4.3.1] Measurement Results. He says, "Audibly, occasional sounds were heard at the nearest noise-sensitive receptors arising from reversing beepers and occasional bangs as the buckets on the front loader or 360 degree loader hit a hard material."
17. In normal times, when operations are more intensive than at present, incidental noise from delivery vehicles [some with "beepers"], mobile and recycling plant, and machinery working the landfill site [likes bangs from buckets] goes on all the time, day after day from this one localised area [unlike farming and residential noise]. However, this lower-level and general noise is inherent in the landfill/recycling use. It is a burden that we have to bear as the recycling and landfill site is an important facility. However, is it a fair and reasonable planning balance to expect residents of noise sensitive properties to have to tolerate landfill/recycling noise every day Monday to Saturday during working hours AND noisy and irritating motocross from Roodscroft land when landfill/recycling work is silent? I submit that this is not a fair balance and that motor sport should be required to cease on all Roods' land throughout this 10 year period to allow the many local residents to enjoy their leisure time.
18. Permitted Development Rights. Enforcement action to try to regulate this nuisance since 2014 has again been very limited as understanding of the applicable permitted development rights has evolved. In 2016 I formally submitted, with reasoning, that this motor sport was not a permitted temporary use on the landfill and recycling site. However, it was not until four years later [May this year] that the Enforcement team has declared its acceptance of this - but for the waste site only. Cornwall Council regards permitted development rights to be applicable on Roods' land outside the waste site [in the fields above the waste site containing the log cabin and public footpath 636/3/1 and along the strip of land beside the A388]. To avoid the temptation to breach planning control and to provide a reasonable planning balance, I request that a condition should be imposed prohibiting motor sport on all land within the blue line on the application plans notwithstanding the permitted development provisions for temporary uses on the remnants of Roods' land.

## **Conclusion**

19. After many noise complaints and investigations since 2014, the professional Noise Impact Assessments provide cogent evidence that enables Roods Environmental Services' operations to be a good neighbour to residential development in its surroundings from a noise viewpoint. The assessments also provide some understanding of the nature, and extent, of the noise problems that have been experienced locally in the past. We hope the assessments help to create a constructive and neighbourly relationship in future.
20. I submit that:

- a. *All processing and mechanical sorting of waste should take place within the recycling sheds, including use of a pulveriser, and Condition 10 wording should be amended accordingly [if technically possible]; and*
- b. *Tonal reversing alarms should be replaced by “white noise” alarms on all mobile plant and vehicles that are required to operate them and that are used on the waste site and owned or hired by Roods Environmental Services; and*
- c. *Notwithstanding the provisions of the permitted development regulations, none of the land at Roodscroft should be used for recreational motor sport; and*
- d. *The current noise limit in Condition 13 of the main planning permission of 55dB(A)Leq(1 hour) should be reduced to ensure that cumulative noise levels do not exceed 36dB LA90 for Cross Farmhouse and 38dB LA90 for 27 Sunnybanks; and*
- e. *Cornwall Council requires noise monitoring to be carried out by the Operators in accordance with Condition 13 should complaints be made about excessive noise from the waste site and if the operators seek to deploy recycling plant outside the recycling sheds.*

Christopher Jarvis

8 December 2020

**680 Date of next meeting.**

The next Meeting of the Council will be the Public Meeting on Wednesday 24<sup>th</sup> February 2021. This Meeting will be held at 7:30pm as a virtual remote access meeting for residents.

**681 End of meeting**

